

## Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-10  
L-03 NSAE-00 PA-01 SP-02 SS-15 NSCE-00 USIE-00  
INRE-00 SSO-00 MCT-01 /051 W  
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O 062338Z MAR 78  
FM AMEMBASSY OTTAWA  
TO SECSTATE WASHDC IMMEDIATE 6537  
INFO AMEMBASSY MOSCOW PRIORITY  
AMEMBASSY PARIS PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 OTTAWA 01138

E.O. 11652: GDS  
TAGS: PEPR, PINT, CA  
SUBJECT: GOVERNMENT SEEKS RETURN OF SENSITIVE DOCUMENTS  
FROM OPPOSITION MP

1. SUMMARY: SINCE EXPULSION OF SOVIET OFFICIALS LAST MONTH, MAVERICK TORY MP TOM COSSITT HAS LEVELED SERIES OF CHARGES RELATING TO ALLEGED GOVERNMENT LAXITY IN PROTECTING NATIONAL SECURITY. GIST OF COSSITT CLAIMS WAS THAT SOVIET AND FRENCH MONEY AND CUBAN ARMS WERE BEING INTRODUCED INTO CANADA TO SUPPORT INTELLIGENCE AND TERRORIST ACTIVITIES. COSSITT CHARGES WERE GENERALLY DISMISSED UNTIL MARCH 2 WHEN SOLICITOR GENERAL AND HEAD OF RCMP SECURITY SERVICE DEMANDED COSSITT RETURN SENSITIVE RCMP DOCUMENTS, ON WHICH AT LEAST SOME OF HIS CHARGES WERE PRESUMABLY BASED. WRITTEN DEMAND FOR RETURN, HOWEVER, SPECIFIED ONLY ONE PARTICULAR DOCUMENT WHICH COSSITT CLAIMS HE DOES NOT HAVE. QUESTION OF RETURN OF SENSITIVE DOCUMENTS OR COSSITT'S FACING PROSECUTION UNDER OFFICIAL SECRETS ACT REMAINS UNANSWERED FOR THE MOMENT. OPPOSITION POLITICIANS ARE AS MUDDLED AS THE PRESENT SITUATION. WHILE THEY DECRY INVASION OF SUPPOSED PARLIAMENTARY PRIVILEGE AND REVEALING OF SOURCES THROUGH RETURN OF DOCUMENTS, THEY UPHOLD NECESSITY OF PROTECTING SENSITIVE NATIONAL SECURITY INFORMATION. GOVERNMENT IS LIKELY TO BROADEN DEMAND FOR RETURN AND COSSITT MAY WELL RISK PROSECUTION UNDER OFFICIAL SECRETS ACT. END SUMMARY.

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MENTS, THEY UPHOLD NECESSITY OF PROTECTING SENSITIVE NATIONAL SECURITY INFORMATION. GOVERNMENT IS LIKELY TO BROADEN DEMAND FOR RETURN AND COSSITT MAY WELL RISK PROSECUTION UNDER OFFICIAL SECRETS ACT. END SUMMARY.

2. SINCE EXPULSION OF SOVIET DIPLOMATS LAST MONTH, MAVERICK PROGRESSIVE CONSERVATIVE (PC) MP TOM COSSITT HAS

BEEN LEVELING SERIES OF CHARGES AGAINST TRUDEAU GOVERNMENT, ASSERTING THAT GOVERNMENT HAS NOT BEEN DILIGENTLY RESPONDING TO ALLEGED THREATS TO NATIONAL SECURITY. AMONG VARIOUS COSSITT CHARGES WERE CLAIMS THAT SOVIET KGB HAD BEEN FUNNELING FUNDS THROUGH CANADIAN CORPORATIONS TO SUPPORT TERRORIST AND INTELLIGENCE ACTIVITIES IN CANADA; THAT MONEY SIMILARLY HAD BEEN FUNNELED THROUGH AIR FRANCE, RENAULT AUTOMOBILE COMPANY AND FRENCH CONSULATE IN MONCTON TO SUPPORT TERRORIST ACTIVITIES; AND THAT CUBAN ARMS WERE BEING SMUGGLED INTO CANADA FOR TERRORIST USE.

3. COSSITT CHARGES WERE GENERALLY DISMISSED BY PARLIAMENTARY OBSERVERS UNTIL MARCH 2ND WHEN, DURING COMMONS QUESTION PERIOD, HE ALLEGED THAT SOLICITOR GENERAL BLAIS AND GENERAL DARE, HEAD OF RCMP SECURITY SERVICE, HAD VISITED HIS OFFICE THAT DAY TO SECURE RETURN OF TOP SECRET RCMP DOCUMENTS. HE CLAIMED THAT BLAIS HAD THREATENED THE SEARCH OF HIS OFFICE AND HOME WITH POSSIBLE PROSECUTION UNDER OFFICIAL SECRETS ACT IF HE FAILED TO TURN OVER DOCUMENTS. COSSITT FURTHER CLAIMED THAT, SUBSEQUENT TO BLAIS/DARE VISIT TO HIS OFFICE, BLAIS GAVE HIM DEADLINE OF 4 P.M., ON MARCH 2ND FOR RETURN OF DOCUMENTS.

4. IN RESPONSE, BLAIS ADMITTED TO HOUSE THE ESSENCE OF CONFIDENTIAL

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COSSITT CLAIMS AND ASSERTED THAT NATIONAL SECURITY CONSIDERATIONS WARRANTED THIS ACTION. FOUR O'CLOCK DEADLINE PASSED AMIDST UPROARIOUS HOUSE PROCEEDINGS INVOLVING OPPOSITION CLAIMS OF PARLIAMENTARY PRIVILEGE AND GOVERNMENT REJOINDERS THAT PRIVILEGE DID NOT PERTAIN AND THAT NATIONAL SECURITY CONSIDERATIONS WERE PARAMOUNT.

5. AFTER LENGTHY DEBATE ON THIS ISSUE, HOUSE SPEAKER JEROME AGREED TO DELAY RULING ON COSSITT'S CLAIM OF PRIVILEGE UNTIL FOLLOWING DAY. SUBSEQUENTLY, WITH CONSENT OF ALL PARTIES AND TO ALLOW COSSITT TO CONSULT COUNSEL, DEADLINE FOR RETURN OF DOCUMENTS WAS DELAYED UNTIL MARCH 6.

6. MARCH 6, SPEAKING ON QUESTION OF PRIVILEGE REGARDING RIGHT OF MP TO POSSESS CERTAIN INFORMATION, COSSITT READ TO HOUSE A MARCH 3 LETTER FROM BLAIS ORDERING COSSITT TO RETURN A RCMP TOP SECRET DOCUMENT DATED MARCH 24, 1976 ENTITLED, "CANADIAN RELATED ACTIVITIES OF THE RUSSIAN INTELLIGENCE SERVICE". READING HIS LETTER IN REPLY, COSSITT INDICATED HE DID NOT HAVE THAT DOCUMENT IN HIS POSSESSION AND ITS RETURN WAS, THEREFORE, A MOOT

POINT. SPEAKER JEROME THUS RULED THAT NO DECISION ON NARROW QUESTION OF PRIVILEGE WAS NECESSARY SINCE COSSITT DID NOT HAVE DOCUMENT IN QUESTION.

7. COMMENT: AT THIS STAGE, IT IS DIFFICULT TO DETERMINE "WHO'S ON FIRST" IN THIS TANGLED SITUATION. IT IS CLEAR THAT COSSITT POSSESSES SOME HIGHLY SENSITIVE RCMP MATERIAL AND EQUALLY CLEAR THAT THE GOVERNMENT IS DETERMINED TO GET IT BACK. THIS, IN ITSELF, DEMONSTRATES THAT SOME COSSITT CHARGES OVER PAST MONTH WERE BASED ON RCMP INFORMATION BUT WHICH ONES REMAIN UNCLEAR.

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C O N F I D E N T I A L SECTION 02 OF 02 OTTAWA 01138

8. BLAIS'S REMARKABLY INEPT ORDER FOR THE RETURN OF ONLY ONE DOCUMENT MERELY POSTPONES ANSWER TO WHETHER COSSITT WILL RETURN WHAT HE HAS OR WILL RISK PROSECUTION UNDER OFFICIAL SECRETS ACT. IF FORMER, HIS SOURCES MIGHT BE REVEALED. INDEED, SOME COMMENTATORS CLAIM THAT GOVERNMENT IS MORE INTERESTED IN FINDING LEAKS THAN IN RECOUPING WHAT WAS LEAKED. WE AGREE WITH THAT ASSESSMENT.

9. MEANWHILE, OPPOSITION POLITICIANS SEEM UNCERTAIN AS TO STANCE TO TAKE. COSSITT IS NOT ATTRACTIVE MARTYR MATERIAL. A FORMER LIBERAL, HE HAS WILD MAN REPUTATION WITH PM TRUDEAU THE USUAL TARGET OF HIS ATTACKS. UNTIL NOW, HE HAS NOT BEEN TAKEN VERY SERIOUSLY BY EITHER SIDE OF THE HOUSE. THIS ISSUE, HOWEVER, TRANSCENDS TOM COSSITT. MANY FEEL THAT NATIONAL SECURITY IS INDEED JEOPARDIZED AND THAT DOCUMENTS SHOULD BE RETURNED. OTHERS, HOWEVER, FEEL THAT COSSITT HAS STUMBLERED ON HARD INFORMATION ON WHICH GOVERNMENT WAS NOT ACTING WITH SUFFICIENT ZEAL

AND, EQUALLY IMPORTANT, FEEL THAT MP'S SHOULD HAVE THE  
RIGHT TO PROTECT THEIR SOURCES.

10. UPSHOT IS THAT MANY OPPOSITION POLITICANS (INCLUDING  
PC LEADER JOE CLARK) ARE STRADDLING FENCE, DECRYING  
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INVASIONS OF PARLIAMENTARY PRIVILEGE, WHILE VAGUELY  
ASSERTING THAT DOCUMENTS MUST BE SAFEGUARDED.

11. NEXT MOVE IS GOVERNMENTS'. OUR ASSUMPTION IS THAT  
BLAIS WILL WIDEN DEMAND FOR RETURN OF DOCUMENTS, COSSITT  
WILL REFUSE, AND PROSECUTION UNDER OFFICIAL SECRETS ACT  
MAY FOLLOW. HOW THIS WILL AFFECT THE POPULACE, IN AN  
ALREADY CHARGED PRE-ELECTION PERIOD, REMAINS TO BE SEEN.  
ENDERS

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## Message Attributes

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**Decaption Date:** 20 Mar 2014  
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